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DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

(Under 37 CFR § 1.63; includes reference to PCT International Applications)

WHITMAN BREED ABBOTT & MORGAN LLP
File No.: KM39062-20

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention ENTITLED: ASSAY SONICATION APPARATUS AND METHODOLOGY, the specification of which is attached hereto X was filed on September 18, 1997 as X United States PCT Application No. 932,985, with amendments through (if applicable, give details).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United State of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

| Country (or PCT) | Application Number: | Filed (Day/Month/Year) | Priority Claimed: | |
|------------------|---------------------|------------------------|-------------------|----|
| | | | Yes | No |

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information

known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:

| <u>U.S. Serial</u> <u>No.:</u> | <u>Filed</u> <u>(Day/Month/Year)</u> | <u>PCT Application No.</u> | <u>Status (patented,</u> <u>pending, abandoned)</u> |
|-----------------------------------|---|----------------------------|--|
|-----------------------------------|---|----------------------------|--|

I hereby appoint Barry Evans, Registration No. 22,802, and or his duly appointed associates, my attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, and specify that all communications about the application are to be directed to the following correspondence address:

Barry Evans, Esq.
c/o WHITMAN BREED ABBOTT & MORGAN LLP
200 Park Avenue
New York, NY 10166

Direct all telephone calls to:
(212) 351-3000
to the attention of:
Barry Evans

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR(S):

Signature: 

Date: 4/2/98

Full name of sole or first inventor: Jacob N. Wohlstadter
Residence: 9905 Gable Ridge Terrace, Apt. D, Rockville, Maryland 20850
Citizenship: United States of America

Signature: 

Date: 5/12/98

Full name of 2nd joint inventor (if any): James Wilbur
Residence: 13636 Spinning Wheel Drive, Germantown, Maryland 20874
Citizenship: United States of America

Signature: 

Date: 5/12/98

Full name of 3rd joint inventor (if any): George Sigal
Residence: 5333 Trailway Drive, Rockville, Maryland 20853
Citizenship: United States of America

DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY (Under 37 CFR § 1.63)

WBAM File No. KM39062-20

Signature: 

Date: 5/18/98

Full name of 4th joint inventor (if any): Mark Martin

Residence: 6516 Old Farm Court, Rockville, Maryland 20852

Citizenship: United States of America

Signature: 

Date: 5/13/98

Full name of 5th joint inventor (if any): Alan Fischer

Residence: 80 Antrim Street, Cambridge, Massachusetts 02139

Citizenship: United States of America

Signature: 

Date: 5/12/98

Full name of 6th joint inventor (if any): Larry R. Helms

Residence: 20816 Tall Forest Drive, Germantown, Maryland 20876

Citizenship: United States of America

Signature: 

Date: 5/15/98

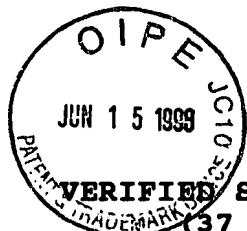
Full name of 7th joint inventor (if any): Ramin Darvari

Residence: 22 Marivista Avenue, Waltham, Massachusetts 02154

Citizenship: United States of America

Post Office Address(es) of inventors [if different from residence]:

NOTE: In order to qualify for reduced fees available to Small Entities, each inventor and any other individual or entity having rights to the invention must also sign an appropriate separate "Verified Statement (Declaration) Claiming [or Supporting a Claim by Another for] Small Entity Status" form [e.g. for Independent Inventor, Small Business Concern, Nonprofit Organization, Individual Non-Inventor].



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**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

___ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Meso Scale Technologies, LLC.

ADDRESS OF CONCERN 16020 Industrial Drive
Gaithersburg, Maryland 20877

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **Assay Sonication Apparatus And Methodology** by inventor(s) **Jacob N. Wohlstadter, James Wilbur, George Sigal, Mark Martin, Alan Fischer, Larry R. Helms, and Ramin Darvari** described in

___ the specification filed herewith.

☒ application serial no. 08/932,985, filed September 18, 1997.

___ patent no. ___, issued ___.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Applicant or
Patentee:

Wohlstadter et al.

WHITMAN BREED ABBOTT & MORGAN
LLP

Serial or Patent
No.:

08/932,985

File No.: KM39062-20

Filed or Issued:

September 18, 1997

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For: Assay Sonication Apparatus and Methodology

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

FULL NAME

ADDRESS

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

FULL NAME

ADDRESS

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

FULL NAME

ADDRESS

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

Jacob Wohlstadter

TITLE OF PERSON
(if other than owner)

President

ADDRESS OF PERSON SIGNING

SIGNATURE

DATE

6/10/98